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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,074	07/01/2002	Gilbert Heise	11150/45	7261
26646	7590	04/15/2004	EXAMINER	
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			NGUYEN, PHUNG	
			ART UNIT	PAPER NUMBER
			2632	
			DATE MAILED: 04/15/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

Applicant(s)

10/070,074

HEISE ET AL.

Examin r

Art Unit

Phung T Nguyen

2632

-- The MAILING DATE f this communication appears n th c ver sheet with the corresp ndence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2. | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 9-19 have been renumbered 11-21, respectively.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 11-14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al. (U.S. Pat. 5,006,829) in view of Ramaswamy et al. (U.S. Pat. 5,627,547).

Regarding claim 11: Miyamoto et al. disclose an information display system for a vehicle which comprises detecting a critical vehicle condition by the control unit by evaluating the data of the sensors and the control units (col. 3, lines 1-5 and 24-33); and displaying the detected critical vehicle condition (col. 10, lines 16-24). Miyamoto et al. do not teach generating a list of possible actions for the motor vehicle driver in response to the critical vehicle condition detected in detecting step and executing an action selected by the motor vehicle driver using the control unit. Ramaswamy et al. disclose a mapless GPS navigation system in vehicle

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entertainment system which comprises generating a list of possible actions for the motor vehicle driver and executing an action selected by the motor vehicle driver (col. 8, lines 39-40, col. 10, lines 50-67, and col. 11, lines 19-34). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ramaswamy et al. and Miyamoto et al. because they both teach a system for indicating various states and condition of a vehicle related to the normal operation of the vehicle. The teaching of Ramaswamy et al. of generating a list of possible actions and executing an action selected by the motor vehicle driver would increase the flexibility of the system of Miyamoto et al. by allowing the motor vehicle driver can select the desired comfort components.

Regarding claim 12: All the claimed subject matter is already discussed in respect to claim 11 above. Ramaswamy et al. also disclose manually activating the method by the motor vehicle driver (col. 4, lines 50-58).

Regarding claims 13 and 14: All the claimed subject matter is already discussed in respect to claim 11 above.

Regarding claim 18: All the claimed subject matter is already discussed in respect to claim 11 above.

4. Claims 15 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al. in view of Ramaswamy et al. and further in view of Bergholz et al. (U.S. Pat. 6,151,539).

Regarding claim 15: Miyamoto et al. teach wherein the control unit is connected to at least one other control unit of the motor vehicle by a bus as shown in figure 1. Miyamoto et al.

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and Ramaswamy et al. do not teach a CAN bus as claimed. However, the use of the CAN bus is old and known in the art as taught by Bergholz et al. (col. 7, lines 56-60). Therefore, it would have been obvious to the skilled artisan to utilize the CAN bus of Bergholz et al. in the system of the combination in order to assure reliable transmission of the volumes of data that are generated.

Regarding claim 19: Refer to claim 15 above.

5. Claims 16, 17, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al. in view of Ramaswamy et al. and further in view of Moroto et al. (U.S. Pat. 5,191,532).

Regarding claim 16: Miyamoto et al. and Ramaswamy et al. do not disclose the display unit includes a touch screen. However, Moroto et al. disclose a navigation apparatus comprising a touch panel 6 (figure 1, col. 3, lines 49-55). Therefore, it would have been obvious to the skilled artisan to use the touch panel of Moroto et al. in the system of the combination in order to provide more convenient to the motor vehicle driver.

Regarding claim 17: Moroto et al. disclose the input device including at least one of a voice recognition unit (col. 3, lines 55-56).

Regarding claim 20: Refer to claim 16 above.

Regarding claim 21: Refer to claim 17 above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Palalau et al. [U.S. Pat. 6,373,472] discloses a driver control interface system.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung T Nguyen whose telephone number is 703-308-6252. The examiner can normally be reached on 8:00am-5:30pm Mon thru. Friday, with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 703-308-6730. The fax numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Examiner: Phung Nguyen

A handwritten signature in cursive script, appearing to read 'Phung Nguyen', with a long horizontal flourish extending to the right.

Date: April 7, 2004